

JUL 30 2010

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BY: *S. Wilson*
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

GARY DEAN WALLACE,

Petitioner,

v.

LARRY W. JARVIS,

Respondent.

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Civil Action No. 7:09cv00426

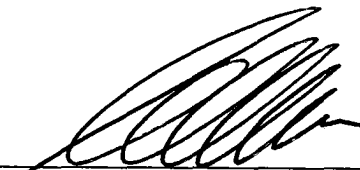
FINAL ORDER

By: Samuel G. Wilson
United States District Judge

In accordance with the Memorandum Opinion entered this day, it is **ORDERED** and **ADJUDGED** that respondent's motion to dismiss is **GRANTED**, petitioner's petition is **DISMISSED**, and this action is **STRICKEN** from the court's docket.

The court finds that petitioner has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c)(1) and **DENIES** a certificate of appealability.

ENTER: This July 30, 2010.


UNITED STATES DISTRICT JUDGE